



JACKIE LACEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

HALL OF JUSTICE
211 WEST TEMPLE STREET, SUITE 1200 LOS ANGELES, CA 90012-3205 (213) 974-3500


REVISED

January 19, 2016

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

30 January 19, 2016


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

RESOLUTION TO RELEASE UNCLAIMED VICTIM RESTITUTION TO THE DISTRICT ATTORNEY'S VICTIM ASSISTANCE PROGRAM (ALL DISTRICTS) (4 VOTES)

SUBJECT

Under Government Code section 50050, restitution collected by the County on behalf of victims which remains unclaimed (1) for a period of three years and (2) after the Treasurer-Tax Collector has published required notice (herein after referred to as Unclaimed Restitution), reverts to the County and may be used for victims services. This Board has recognized the District Attorney's Bureau of Victim Services as the major provider of comprehensive services to victims in the County. The Probation Department is in possession of ~~\$484,000~~ \$426,000 in Unclaimed Restitution. ~~Additional monies, approximately \$50,000, have been unclaimed for more than three years and are awaiting publication by the Treasurer-Tax Collector.~~ In compliance with Government Code section 50050, the District Attorney is seeking transfer of all ~~Unclaimed Restitution, both current funds and all funds which may revert to the County in the future,~~ \$426,000 in Unclaimed Restitution to a trust account to be used for the provision of victims' services.

IT IS RECOMMENDED THAT THE BOARD:

~~Direct the Probation Department, and any other County department which may be in possession of Unclaimed Restitution, to transfer all Unclaimed Restitution, both current monies and all monies which may become Unclaimed Restitution in the future~~ \$426,000 in Unclaimed Restitution to the District Attorney to be used for ~~victims' services~~ comprehensive services to crime victims.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to continue the District Attorney's commitment to assist victims of crime by alleviating trauma and the devastating effects of crime on the lives of victims and their families. ~~The objective of this perpetual transfer of Unclaimed Restitution from the Probation Department to the District Attorney is to comply~~ This action will allow the County to come into compliance with the requirements of Government Code section 50050 which directs that Unclaimed Restitution be used for victims' services. ~~Additional monies, approximately \$50,000, have been unclaimed for more than three years and are awaiting final due diligence efforts by the Probation Department and Treasurer Tax Collector. The District Attorney will seek the transfer of the remaining funds in September of 2016, after the due diligence process is completed. On an ongoing basis, the District Attorney will work with the Treasurer Tax Collector, the Auditor Controller, the Probation Department, and any other related departments to identify additional Unclaimed Restitution which can be used for Victims Services and will submit a Board Letter by September 1st of each year to request the transfer of funds. The Board Letter will also include detail on disbursements made from the fund and victims' services provided in the prior year.~~

Implementation of Strategic Plan Goals

Approval of the recommended action is consistent with the Los Angeles County's Strategic Plan Goal No. 1, Operational Effectiveness/Fiscal Sustainability: maximize the effectiveness of processes, structure, operations, and strong fiscal management to support timely delivery of customer-oriented and efficient public services and Goal No. 3, Integrated Services Delivery: maximize opportunities to measurably improve client and community outcomes and leverage resources through the continuous integration of health, community, and public safety services.

FISCAL IMPACT/FINANCING

Unclaimed Restitution will be utilized for victims' services in compliance with all County fiscal and procurement policies. ~~The District Attorney shall~~ By September 1st of each year, the District Attorney will submit a report on September 1, 2016, detailing the Unclaimed Restitution transferred to the District Attorney's Office and any disbursements made from the fund and victims' services provided.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Transfer of the Unclaimed Restitution to the District Attorney, whose Bureau of Victims Services is the designated major provider of comprehensive services to victims in accordance with Penal Code section 13835.2, will bring the County into compliance with Government Code section 50050 which requires Unclaimed Restitution to be used by the County for victims' services or deposited into the State's Restitution Fund.

The Bureau of Victims Services is structured to meet the needs of victims as they enter the criminal justice system and to help stabilize them emotionally and financially, so that trauma can be minimized. As mandated by statute, Victim Services Representatives (VSRs) provide direct services to victims of all types of crimes. They also assist a large number of victims living in poverty who have immediate needs for intensive assistance, including basic subsistence, witness protection, and relocation. The growing number of people living in poverty in Los Angeles County, particularly children and elders, contributes to the increased demand for victim services. Additionally, the high number of violent crimes in Los Angeles County creates a crucial need for specialized victim advocacy services, including assistance to the families of homicide victims, victims of gang-related crimes, and child victims. Currently, the Bureau of Victims Services provides victim services at 30 victim service centers throughout the County.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This program does not propose attorney staff augmentation. Therefore, the District Attorney's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

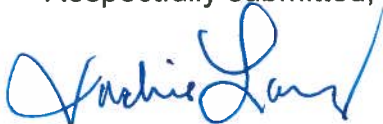
CONCLUSION

Following Board approval, the Probation Department shall transfer all Unclaimed Restitution currently in its possession, and all such funds which may come into its possession in the future \$426,000 in Unclaimed Restitution to the District Attorney, to be held in a trust account, and used for the provision of victims' services. Furthermore all County departments which may come to be in possession of Unclaimed Restitution in the future, shall transfer the Unclaimed Restitution to the District Attorney, to be held in a trust account, and used for the provision of victims' services.

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~~County departments which may come to be in possession of Unclaimed Restitution in the future, shall transfer the Unclaimed Restitution to the District Attorney, to be held in a trust account, and used for the provision of victims' services.~~

Respectfully submitted,



JACKIE LACEY
District Attorney

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cc: Executive Officer, Board of Supervisors
Chief Executive Officer
County Counsel